

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

VONDRE DEAN MOULTRIE,)	Case No. CV 13-08572-PA (DTB)
)	
Petitioner,)	
vs.)	ORDER ACCEPTING FINDINGS,
)	CONCLUSIONS AND
W.L. MONTGOMERY, Acting)	RECOMMENDATIONS OF UNITED
Warden,)	STATES MAGISTRATE JUDGE
)	
Respondent.)	


Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. No objections to the Report and Recommendation have been filed herein. The Court concurs with and accepts the findings, conclusions and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that respondent's Motion to Dismiss with respect to the unexhausted aspects of Ground One (subclaim (a) as it relates to an investigation generally and subclaim (b)) is granted. Petitioner is hereby ordered, within 30 days of the date of this Order, to either: (a) File an amended petition¹ raising only his exhausted claims, or (b) file a request to stay the proceedings and

¹ The Court notes that petitioner has lodged an amended petition.

1 hold the FAP in abeyance while petitioner returns to state court to exhaust his state
2 remedies with respect to the unexhausted claims.

3
4 Dated: June 17, 2015


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6 PERCY ANDERSON
UNITED STATES DISTRICT JUDGE